

STEVENS et al
Appl. No. 10/525,381
August 1, 2007

AMENDMENTS TO THE DRAWINGS

Proposed drawing changes are shown on the attached annotated marked up drawing and are incorporated within an attached proposed replacement sheets of drawings.

Attachment: Replacement Sheet(s)
Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

The Examiner's attention is drawn to the attached Form PTO/SB/08a and the non-US patent document references cited therein. The IDS fee for this stage of prosecution is also attached. Careful study and official citation is respectfully requested.

Included in the attached materials is the inventors own one page listing of background prior art. It is believed that such would be merely cumulative to the other prior art now of record. However, should the Examiner wish to obtain a copy of any item included in this listing, please telephone the undersigned to request same and an attempt will be made to find it.

The attached IDS materials include prior art mentioned in the application specification as well as prior art that came to light during the drafting of the specification, prior art cited in a counterpart priority application and prior art cited in the international search report.

The formality-based objections to the inventor's declaration and request for a new replacement declaration is respectfully traversed.

Because of the number of inventors and their somewhat dispersed locations, the inventor's declaration was executed with multiple copies, three different copies each variously executed by some of the inventors were ultimately obtained and filed.

The only "alterations" that the undersigned can find in any of these variously executed copies is the handwritten correction to the mailing address of inventor Lim. However, those changes have in fact been dated and signed by inventor Lim on the copy that inventor Lim executed. It is not believed necessary to have those changes also initial and dated on copies that were executed by other inventors.

The Examiner's objection to priority claims made in the inventors Declaration are also not understood. There is no priority claim to the PCT application under 35 U.S.C. §119. The only priority claims made under 35 U.S.C. §119 are to two prior filed British applications.

The only priority claim made with respect to the PCT application itself is under 35 U.S.C. §120 and/or 365--which is an entirely proper statement of priority benefit pursuant to the statutory language. Furthermore, in the undersigned's experience, this type of "priority" statement in inventor's declarations is commonly present and accepted in U.S. patent applications.

Accordingly, the inventor's declaration as filed is believed to be without material defect and acceptance of same is respectfully requested.

In response to the formality-based objections to the specification, the specification has been reviewed and amended above so as to put it in to standard U.S. format.

In response to the drawing objections, the drawings have been amended so as to avoid duplicate use of the character "44". The specification has been amended at page 7 so as to correctly refer to reference characters "42" and "45" found in the drawings. With respect to reference characters found in the drawings but allegedly not in the specification, the specification has been amended at pages 11, 13 and 15 so as to now recite three of the reference characters identified by the Examiner. The other three reference characters identified by the Examiner are already discussed in the specification at page 14, line 24.

A new more descriptive title has been effected by the above amendment as requested.

The Examiner's objection to the specification may indicate that the abstract accompanying the Preliminary Amendment of February 23, 2005 has not yet been entered

(because it already does not make reference to the drawings). In any event, the abstract has been further amended above so as to put it in more traditional U.S. format.

In response to the rejection of claims 1-6 and 13 under 35 U.S.C. §112, second paragraph, claims 1 and 13 have been amended above as suggested by the Examiner so as to obviate these grounds of objection.

The rejection of claims 1-6 under 35 U.S.C. §101 because allegedly directed to non-statutory subject matter is respectfully traversed. It is believed that the composed media article which results from the claimed method is indeed a usual, concrete and tangible result--even if the result never leaves the processor (e.g. it can be stored in tangible memory media). In any event, claim 1 has been amended above so as to require synthesizing and storing or outputting the composed media article and thus obviates this ground of rejection.

Accordingly, all outstanding formal issues are not believed to have been resolved in the applicant's favor.

The rejection of claims 1-6 under 35 U.S.C. §102 as allegedly anticipated by Reber '006 is respectfully traversed--as is the parallel rejection of claims 7-10, 14 and 15 under 35 U.S.C. §102 based on the same Reber '006 reference.

Computerized film editing systems like that disclosed in Reber must provide editors with some way to reference a given segment of recorded material. As Reber repeatedly points out (see e.g. col. 4 lines 20-21), editors refer to segments of recorded material by specifying the physical source (e.g. tape A) and a range of time (e.g. from time code 2 hours 7 minutes to time code 3 hours 27 minutes – see column 10 lines 62 and 63).

Reber indicates that then conventional media archival methods stored data about the source of a media file at the time the media file was generated (e.g. by making a digital recording

of a pre-recorded piece of film). Presumably, this means that the user would type in a name for the source (e.g. tape A) and perhaps a time code indicating at what position on that tape the digital recording starts. As such, if another medium (e.g. videotape instead of film) had the same content on it, this relationship would have to be entered by the user when generating the media file from the videotape and when generating the media file from the film. This led to the problems discussed at col. 2 lines 16 to 25.

Reber overcomes these problems by using a 'Source Manager' to record, in a database, equivalences between a source specified by the editor (e.g. 'tape A, time code 2 hours 7 minutes to time code 3 hours 27 minutes'), and a media file. This is what is meant by col. 3 lines 53 and 54 cited by the Examiner. In addition, the Source Manager records the equivalence of content from different sources (see col. 8 lines 40 to 59). This enables the system to select, at the time the editor and producer generate a final sequence, a different, but equivalent source of a 'clip' specified by the editor and producer for inclusion in that final sequence. That is how the advantage set out at column 11 lines 39 to 49 (again referred to by the Examiner) is achieved.

The above explanation makes it clear that Reber and the presently claimed invention are fundamentally different. In Reber, an editor chooses the order in which content is to be included in the final sequence. Reber's apparatus provides a mechanism for finding a suitable physical source for that content. In applicant's claimed invention, the order in which content is to be included in the final sequence is determined automatically on the basis of metadata stored with the media files.

The rejection of claims 7-13, 15 and 16 under 35 U.S.C. §102 as allegedly anticipated by Sweat '636 is also respectfully traversed.

Sweat also does not teach the automatic composition of a media article – instead it provides a tool which assists a user in composing a media article. An amendment to the opening line of claim 7 better brings this distinction out.

Sweat does not envisage that the computer will decide the order in which video clips are shown in a finalized application. Hence, Sweat does not teach an apparatus for the automatic composition of a media article, and claims 7 to 17 are thus novel and non-obvious since there is no teaching as suggested in Sweat that the connections between objects might be present prior to composition taking place.

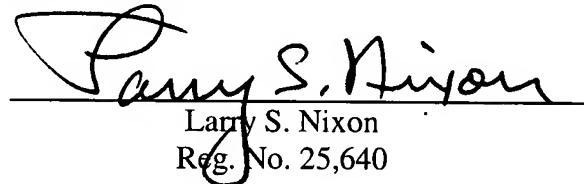
Indeed, applicant's claims require the writing and recording of relationship data prior to composition taking place. This feature is important for enabling automatic composition.

Accordingly, this entire application is now believed to be in allowable condition and a formal notice to that effect is respectfully solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

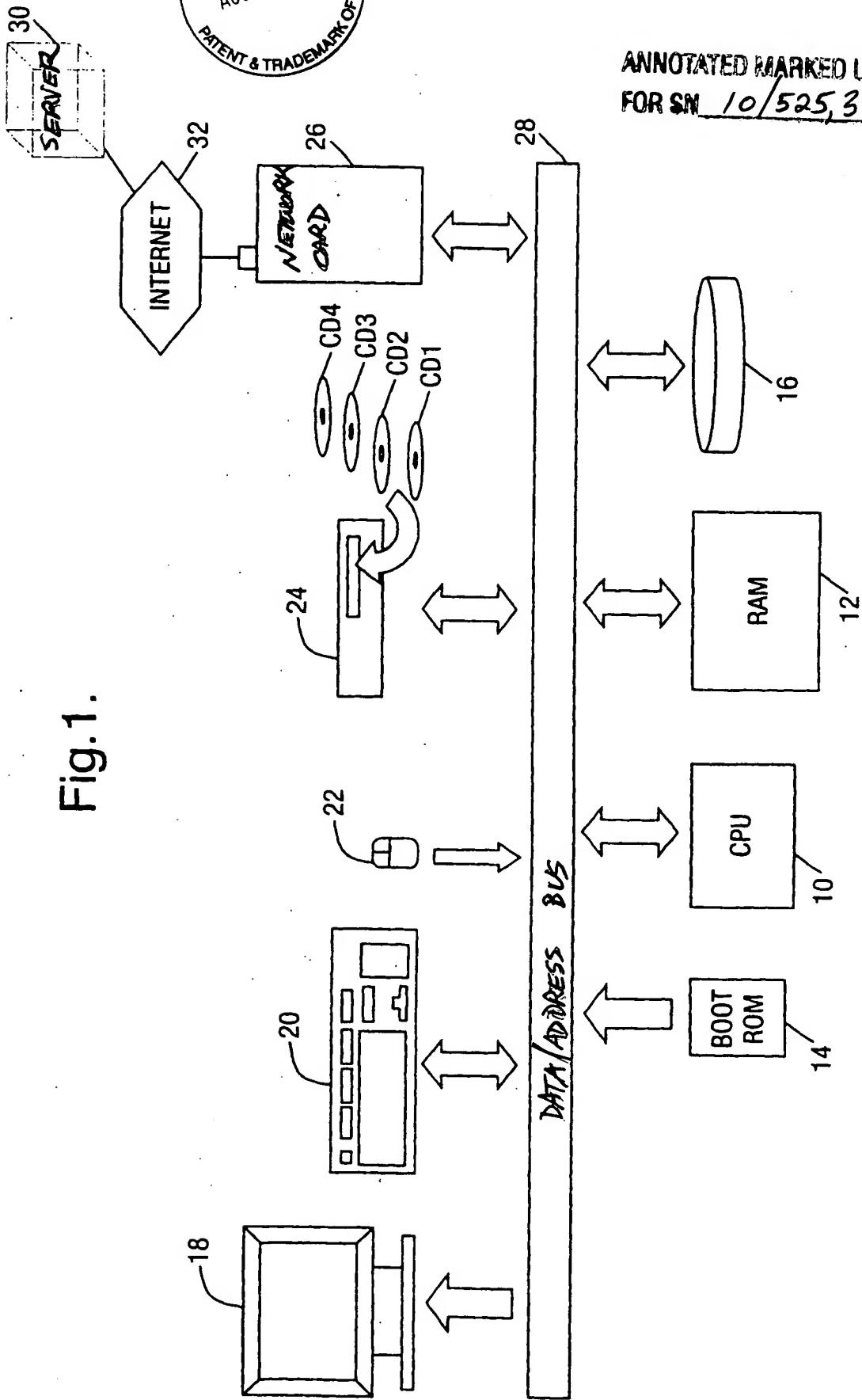

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ANNOTATED MARKED UP DRAWINGS
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Fig. 2.

